

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

JASON E WHITNEY

Whitney, Jason E

(In the space above enter the full name(s) of the plaintiff(s).)

- against -

Bloomin Brands, Inc.

Bonefish Grill

David Deno

Jeff Carcara

Domenick Rago

COMPLAINT

Jury Trial: ☒ Yes ☐ No

(check one)

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

I. Parties in this complaint:

- A. List your name, address and telephone number. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff	Name	JASON E WHITNEY
	Street Address	4730 S. Fort Apache Rd Ste. 300
	County, City	Las Vegas, NV 89147-7947
	State & Zip Code	(Clark County) Nevada
	Telephone Number	800 682 3510

Whitney, Jason

109 Mouldy Rd 29A

Camden, Lawnside

New Jersey, 08085-1137

856 473 7027

- B. List all defendants. You should state the full name of the defendants, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant can be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1

Name Bloomin' Brands
 Street Address 2202 N. West Shore Blvd.
 County, City Hillsborough, Tampa
 State & Zip Code Florida, 33607

Defendant No. 2

Name Bonefish Grill
 Street Address 1709 Deptford Center Rd.
 County, City Camden, Deptford
 State & Zip Code New Jersey, 08096

Defendant No. 3

Name Domenick Rago
 Street Address 1709 Deptford Center Rd.
 County, City Camden, Deptford
 State & Zip Code New Jersey, 08096

Defendant No. 4

Name _____
 Street Address _____
 County, City _____
 State & Zip Code _____

II. Basis for Jurisdiction:

Federal courts are courts of limited jurisdiction. There are four types of cases that can be heard in federal court: 1) Federal Question - Under 28 U.S.C. § 1331, a case involving the United States Constitution or federal laws or treaties is a federal question case; 2) Diversity of Citizenship - Under 28 U.S.C. § 1332, a case in which a citizen of one state sues a citizen of another state and the amount in damages is more than \$75,000 is a diversity of citizenship case; 3) U.S. Government Plaintiff; and 4) U.S. Government Defendant.

- A. What is the basis for federal court jurisdiction? (check all that apply)



Federal Questions



Diversity of Citizenship



U.S. Government Plaintiff



U.S. Government Defendant

- B. If the basis for jurisdiction is Federal Question, what federal Constitutional, statutory or treaty right is at issue? Respondeat Superior Doctrine;

C. If the basis for jurisdiction is Diversity of Citizenship, what is the state of citizenship of each party?

Plaintiff(s) state(s) of citizenship Nevada; New Jersey

Defendant(s) state(s) of citizenship Florida; New Jersey

III. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. Where did the events giving rise to your claim(s) occur? Bonafish Grill,
Deptford, New Jersey

B. What date and approximate time did the events giving rise to your claim(s) occur? December
Sixth, 2019

C. Facts: Intimidation and physical violence was

used to enforce compliance to violate NRA
established regulations and/or protocol resulting
in assault and violation to CEPA, and wrongful
termination, which violated Americans with
Disabilities Act, LAD, WCR, and failure to answer,
OSHA General Duty Clause,
Responsible parties are both Sole proprietor
and manager of Bonafish Grill Domenick
Rago; and employee Victor Marrero

Not in the assault, however in other matters
described in the memorandum.

Night shift staff were present during the
assault. (See enclosure)

IV. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received.

Laceration above right eye, puncture wound through right cheek; subcutaneous emphysema about face, neck; side, chest and lower back; loss of range of motion neck; fainting; fatigue; migraines, anxiety

Received sutures, medication for subcutaneous emphysema, antibiotics, referred to specialist for further treatment and assessment.

V. Relief:

State what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking, and the basis for such compensation.

- Compensation for further treatment and assessment; court costs and fees; loss of wages; pain/suffering and emotional distress; punitive damages; restoration of employment and any fees or cost the court deems fair, equitable, and applicable including but not limited to compensatory damages for personal hardships.

Relief Sought: \$250,000.00


Two Hundred fifty dollars and zero cents.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 2 day of September, 2020.

Signature of Plaintiff

Mailing Address


109 Mouldy Road
29A Lawnside, NJ 08045

Telephone Number 856 473 4702

Fax Number (if you have one)


E-mail Address

jwhitney666@gmail.com

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint.

Signature of Plaintiff:

AG:

JASON E WHITNEY


Helpful Hints:

- ~ All original papers submitted for consideration to the Court are to be filed with the **Clerk of this Court**. Copies of papers filed in this Court are to be served upon counsel for all other parties (or directly on any party acting pro se). Proof that service has been made is provided by a certificate of service. This certificate should be filed in the case along with the original papers and should show the day and manner of service.

Example: "I, (name), do hereby certify that a true and correct copy of the foregoing (name of pleading or other paper) has been served upon (name(s) of person(s) served) by placing the same in the U.S. Mail, properly addressed this (date) day of (month), (year)."

JASON E WHITNEY
(Signature)

- ~ Any request for court action shall be set forth in a motion, properly filed and served. (Please see the Motion Guide included in this packet.)
- ~ No direct communication is to take place with the District Judge or United States Magistrate Judge with regard to this case. **All relevant information and papers are to be directed to the Clerk.**
- ~ The parties should notify the Clerk's office when there is an address change. Failure to do so could result in court orders or other information not being timely delivered, which could affect the parties' legal rights.



7019 2280 0000 1742 6898

FROM:

4730 S. FORT ATACHE Rd.

Ste. # 300

Las Vegas, Nevada 89117-7147

Attn:

JASON E WHITNEY

RECEIVED

SEP - 6 2020

TO:

Camden Clerk's Office
Mitchell H. Cohen US Court
One John F Gerry Plaza
PO Box 2797
4th & Cooper St. Rm 1050
Camden, NJ 08101